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**TRANSMITTAL
FORM**
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Application Number	09/881,500
Filing Date	June 14, 2001
First Named Inventor	Chaudhuri
Group Art Unit	2171
Examiner Name	Leroux, Etienne Pierre
Attorney Docket Number	163192.01

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
 - After Final
 - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement with Form PTO/SB/08A (pages)
- Response to Notice to File Missing Parts
 - A copy of the Notice to File Missing Parts Under 37 CFR 1.52 or 1.5

CERTIFICATE OF MAILING OR TRANSMISSION
(Under 37 CFR § 1.8(a))

I hereby certify that this correspondence is being:

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Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; or
 transmitted by facsimile on the date shown below to the USPTO at (571) _____.

November 17, 2005

Date

Signature
Noemi Tovar
Printed Name

- Assignment Papers
(for an Application)
- Drawing(s) (sheets)
- Declaration
 - Newly Executed (pages)
 - A copy from a prior application (37 CFR 1.63(d)) (pages)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- General Power of Attorney (SB80)
 - 37 CFR 3.73(b) Statement
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____
- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Application Data Sheet
- Request for Corrected Filing Receipt
- Return Receipt Postcard
- Other Enclosure(s) (please identify below):
 - Issue Fee Transmittal
 - Comments on Statement of Reasons for Allowance

Remarks The Commissioner is hereby authorized to charge any additional fees required, or credit any overpayments, to Deposit Account No. 50-0463 for the above identified patent application.

SIGNATURE OF ATTORNEY OR AGENT

Signature		Reg. No.	57,646
Name of Attorney or Agent	L. Alan Collins		
Date	November 17, 2005	Tel.	(425) 703-8265
Assignee Name:	MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052		
Customer Number:	22971		



Comments on Statement of Reasons for Allowance				Title Of Invention Method of Building Multidimensional Workload-Aware Histograms
				Application Number 09/881,500
				Filing Date 6/14/2001
				First Named Inventor Surajit Chaudhuri
				Art Unit 2161
				Examiner Name LEROUX, ETIENNE PIERRE
Sheet	1	of	2	Attorney Docket Number 163192.01

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1460
Alexandria, VA 22313-1450

Dear Sir:

Applicants acknowledge the allowance of claims 1, 2, 4-10, 12-17, 19, 20, 22, and 24-30 in the subject application by the Examiner with appreciation. Applicants agree with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record. Applicants expressly traverse the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

Moreover, it appears that the Examiner's Statement of Reasons for Allowance may reiterate the Examiner's arguments made during prosecution. By virtue of the Examiner's allowance of the claims over the cited references and the associated arguments, it is believed that the previous arguments made by the Examiner have been overcome. Additionally, Applicants specifically do not acquiesce or agree in any manner as to the comments made by the Examiner regarding what the prior does or does not teach. Indeed, Applicants have pointed out the errors in the comments/arguments in Applicants' Response to the Final Office Action.

Comments on Statement of Reasons for Allowance
Matter No.: 163192.01

Applicants further point out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims are allowable. Further reasons for allowance of the claims beyond those enumerated by the Examiner are described and set forth in the Applicants' specification. In addition, technology, structures and methods that perform substantially the same function in substantially the same way to achieve substantially the same results are included within the scope of the claims.

Finally, as the Examiner's reasons for allowance are not exhaustive, such reasons for allowance do not establish an estoppel against Applicants seeking and obtaining allowance of additional, broader claims in a continuation application, which Applicants reserve the right to file.

Respectfully submitted,

By: 
L. Alan Collins
Registration Number: 57,646
Direct telephone: (425) 703-8265

Date: November 17, 2005
Microsoft Corporation
One Microsoft Way
Redmond WA 98052-6399

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Signature		Date	November 17, 2005
Name (Print/Type)	Noemi Tovar		

Comments on Statement of Reasons for Allowance
Matter No.: 163192.01